

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Phillips	)	ATTORNEY DOCKET:	04242373
		)		
SERIAL NO.:	10/795860	)	GROUP ART UNIT:	1614
		)		
FILED:	July 12, 2004	)	EXAMINER:	Unknown
		)		
TITLE:	Novel Substituted Benzimidazole Dosage Forms and Method of Using Same			
DATE:	May 30, 2006		CUSTOMER NO.:	26565

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Commissioner for Patents  
PO BOX 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.97(b)**

Applicant hereby submits copies of patents, publications and/or other information of which they are aware and which may be related to the examination of this application, and in respect of which there may be a duty to disclose under 37 CFR § 1.56 and §§ 1.97 - 1.987 as supplemented by MPEP § 609. A list of all enclosed documents is provided in a Form PTO-1449, transmitted herewith. Presentation of documents listed on enclosed Form PTO-1449 is not an admission that any listed document is prior art under the Patent Statutes and the right is reserved to antedate any material described in the listed documents by a showing under 37 C.F.R. § 1.131 or otherwise.

This information disclosure statement is being filed within three months of the filing date of the above-cited patent application or prior to the mailing of a first Office action on the merits, in accordance with 37 CFR § 1.97(b). Accordingly, Applicant respectfully requests that the statement be considered by the Office in the course of prosecution of the application. No fee is believed payable; however, if it is determined that a fee is payable, please charge Deposit Account No. 13-0019.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR §1.97(g)), an admission that the information cited is or is considered to be material to patentability, or that no other material information exists.

Respectfully submitted,

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Substitute for form 1449PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

**Complete if Known**

Application Number	10/795860
Filing Date	July 12, 2004
First Named Inventor	Phillips
Art Unit	1614
Examiner Name	Unknown
Attorney Docket Number	04242373

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.†	Document Number Number/Kind Code* (if known)	Publication Date MM-DD-YY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Figures Appear
		4252790	02/24/81	Higuchi	
		5294439	03/15/94	Yamaska	
		5443826	08/22/95	Borody	
		5762962	06/09/98	Georgiades et al.	
		2005/0370370	02/17/06	Warren	
		6749867	06/15/04	Robinson	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.†	Foreign Patent Document Country Code/Number/Kind Code* (if known)	Publication Date MM-DD-YY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Figures Appear	†*
		CA2378018	01/18/01			
		CA2432184	07/11/02			
		EP 0480691	04/15/92			

**NON PATENT LITERATURE**

Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS); title of the article (when appropriate); title of the book, journal, magazine, journal, serial, symposium, catalog, etc.; date, page(s), volume/issue number(s); publisher, city and/or country where published.
		Antacid Bottle Instruction
		BORELLA, et al., Abstract for "Gastric Antisecretory and Antitumor/Cytotoxic Effects of 2-cyano-3(ethylthio-3-methylthio)-2-Propenoic Acid Methyl Ester", Wyeth-Ayerst Res., Inc. (1989)
		PHILLIPS, J. et al., "Flavored lansoprazole Suspension in Pediatric Gerd.", <i>Journal of Pediatric Gastroenterology and Nutrition</i> , Vol. 31, Supp. 2 (December 2000)
		PHILLIPS, J. et al., Abstract of "A Randomized, Cross-over Study of Duodenal or Jejunal Compared to Nasogastric Administration of Omeprazole Suspension in Critically Ill Patients", <i>Pharmacotherapy, The Journal of Human Pharmacology and Drug Therapy</i> , pp. 1237 (October 6, 2000)
		PHILLIPS, J. et al., "Use of Flavored Lansoprazole or Omeprazole Suspensions in Pediatric Gerd.", <i>Supplement to Gastroenterology</i> , Vol. 18 (April 2000)
		Triateral Project B3b, "Reach Trough Claims", pp. 1-28 (2001)

1341266	Date Considered
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\*EXAMINER Initial if reference considered, whether or not critical as in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Quick Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 300.14. \*Cite Office that issued the document by the two-letter code (WFO) Standard ST 21. †To determine patent documents, the inclusive of the year of the origin of the document must precede the serial number of the patent document. Year of document by the appropriate symbol as indicated on the document under WFO Standard ST 16. If possible. †Applicant to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or enter a benefit by the public which is to file (and by the USPTO process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.94. This collection is restricted to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. There will vary depending upon the individual case. Any comments on the success of time you require to complete the form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20590. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1658, Alexandria, VA 22315-1658.

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